

Department of Planning and Zoning

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TO: Development Review Board
FROM: Scott Gustin
DATE: July 21, 2015
RE: 15-1375CU; 820 North Avenue

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Note: These are staff comments only; decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.

Zone: RCO-A&C Ward: 7N

Owner/Representative: Winooski Valley Park District

Request: Convert classroom into small daycare within existing small museum (Ethan Allen Homestead). No construction proposed.

Applicable Regulations:

Article 3 (Applications and Reviews), Article 4 (Maps & Districts), Article 8 (Parking)

Background Information:

The applicant is seeking conditional use approval to establish a "small daycare" within an existing "small museum." Both terms are defined in the CDO and are limited to 20 children and < 10,000 sf, respectively. In this case, the proposed small daycare would contain up to 10 children. No building or site alterations are included in this proposal.

Small daycares may be allowed in association with small museums per zoning amendment 15-05, adopted June 15, 2015.

Previous zoning actions for this property are as follows:

- 6/20/14, Approval to remove storage shed and install new storage shed
- 4/18/14, Approval to install new fencing around community garden
- 4/30/10, Approval to install exterior foundation insulation
- 5/9/08, Approval to construct tool shed
- 10/20/03, Approval to construct bench & platform structure associated with picnic shelter
- 5/28/92, Approval to construct wooden walkway through wetland
- 8/10/88, Approval of modified outdoor lighting
- 4/14/88, Approval of building and site renovations
- 2/13/87, Approval of two building additions
- 10/24/86, Approval of exterior renovations to office/garage building
- 1/12/84, Approval to replace overhead door with windows
- 7/2/82, Approval for temporary mobile trailer

- 7/22/82, Approval for restoration of original homestead, relocation of additional residential structure, construction of information center, restrooms, and caretaker's residence, and parking
- 5/12/78, Approval to erect picnic shelter and restroom buildings

Recommendation: **Consent approval** as per, and subject to, the following findings and conditions:

I. Findings

Article 3: Applications and Reviews

Part 5, Conditional Use & Major Impact Review:

Sec. 3.5.6, Review Criteria

(a) Conditional Use Review Standards

1. The capacity of existing or planned community facilities;

The proposed small daycare will have little, if any, impact on the capacity of community facilities. The facility is served by city water and onsite septic. A state wastewater permit may be required. The applicant is already working with VT DEC relative to this item. **(Affirmative finding)**

2. The character of the area affected;

The property is located in the RCO-A & C zones. The RCO-A zone is intended to protect productive agricultural soils, provide opportunities for viable commercial agricultural production, and to protect natural resources and working forest lands. The RCO-C zone is intended to preserve the function, integrity, and health of the city's significant natural communities and features, both land and water, in their natural state for scientific, ecological, wildlife, educational, or scenic purposes. The existing small museum, the Ethan Allen Homestead, is consistent with the educational goals of this zone. The proposed small daycare is consistent with the mission of the Ethan Allen Homestead and fits within the educational goals of this zone. **(Affirmative finding)**

3. Traffic on roads and highways in the vicinity;

No traffic information has been provided; however, traffic associated with the new daycare is expected to be minimal. **(Affirmative finding)**

4. Bylaws then in effect;

The project as conditioned is in compliance with all applicable bylaws as reflected in these findings. **(Affirmative finding)**

5. Utilization of renewable energy resources;

The utilization of alternative energy has not been incorporated into this proposal. The proposed daycare does not preclude such utilization in the future. **(Affirmative finding)**

6. Cumulative impacts of the proposed use;

The proposed small daycare will be established within an existing small museum in a largely rural setting. Cumulative impacts are expected to be negligible. **(Affirmative finding)**

7. Functional family;

(Not applicable)

8. Vehicular access points;

Existing private road access from Rte. 127 will serve the proposed small daycare. (**Affirmative finding**)

9. Signs;

No signs are included in this proposal. (**Not applicable**)

10. Mitigation measures;

The proposal is not expected to generate any noxious effects such as excessive noise, glare, or emissions. (**Affirmative finding**)

11. Time limits for construction;

No construction is proposed. (**Not applicable**)

12. Hours of operation and construction;

The small daycare would operate from 8:00 AM – 4:30 PM, Monday – Friday. Closed on weekends. These hours are within the typical range for a small daycare and are acceptable. (**Affirmative finding**)

13. Future enlargement or alterations;

As with anything else, any future enlargement or alteration to the daycare will require zoning review under the regulations in effect at that time. (**Affirmative finding**)

14. Performance standards;

Performance standards relating to outdoor lighting and erosion control do not pertain to this application.

15. Conditions and safeguards;

Approval of this project will be conditioned to implement the purposes of the zoning regulations. (**Affirmative finding**)

Article 4: Maps & Districts

Sec. 4.4.6, Recreation, Conservation, and Open Space Districts:

(a) Purpose

(1) RCO-Agriculture (RCO-A) & (3) RCO-Conservation (RCO-C)

As noted above, the property is situated within the RCO-A and RCO-C zones. These zones are intended primarily for working agricultural and forest lands and for preservation of significant natural communities, respectively. As related to these overarching goals, these lands may also be used for scientific, ecological, wildlife, educational, or scenic purposes. The existing small museum and proposed small daycare are consistent with these purposes. (**Affirmative finding**)

(b) Dimensional Standards & Density

No site or building changes are proposed. Setbacks, building height, and lot coverage all remain unchanged. (**Affirmative finding**)

(c) Permitted & Conditional Uses

The proposed small daycare is a conditional use in the RCO-A and RCO-C zones. Conditional use criteria are addressed under Article 3 above. Per zoning amendment 15-05, the small daycare must not exceed 50% of the floor area of the small museum with which it is associated. Such is the case

here. The proposed small daycare will occupy just 576 sf or 9.2% of the 6,232 sf Ethan Allen Homestead museum building. **(Affirmative finding)**

(d) District Specific Regulations
(Not applicable)

Article 8: Parking

Sec. 8.1.8, Minimum Off-Street Parking Requirements

The subject property is located in the Neighborhood Parking District. The proposed small daycare requires 1 parking space per 2 employees. As just 2 employees are proposed, just 1 parking space is required. The associated small museum requires 1 parking space per 1,000 sf GFA. In this case, the 6,232 sf museum requires 6 parking spaces. There are two parking lots onsite. One contains 25 spaces, and the other contains 30 spaces. There is sufficient parking onsite for the existing and proposed uses. **(Affirmative finding)**

Sec. 8.2.5, Bicycle Parking Requirements

At just 576 square feet, the proposed small daycare is too small to require any bicycle parking. Existing bike parking facilities at the museum will remain unchanged. **(Affirmative finding)**

II. Conditions of Approval

1. The small daycare is limited to 10 children and days/hours of operation of Monday-Friday, 8:00 AM – 4:30 PM.
2. Standard permit conditions 1-15.